16-P

G. R. S. IX-5]

Previous references.

1909-10

(S.R)

Later references.

File No. 164-09

Serial Nos. 182

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 182

Part B for Feby 1917

SUBJECT.

Inamdar's claim to the Excise Rev. from Toddy & Pari Byalakere Village, Krishnarajpet Taluq, Mysore Dist.

Sl. 2. No. Rev 6476-7 dated 8-2-17 (Rules that the Inamdar is privileged and entitled to Excise revenue from Toddy shops in Village—

W D 88—GPB—50,000—24-7-16

Re. Inamdar's claim
9-1-1917

G.R.S. 11] 1910.

GENERAL AND REVENUE SECRETARIAT.

(S. R)

NOTES.

File No. 164-09

FILE HEADING.

Inamdar's claim to the Saise Rev: from toddy of Jodi Byalakere village, Krishnarajapet Taluk, Mysore Dt.

From

The Saise Asst: in Mysore.

No. 6019 Dated 24.1.10. Received 26.1.1910.

Diary No. 1834 Enclos. 2 files Spare Copies : Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Submits the record of Enquiry relating to the claim of the Jodidar of Byalakere village, Krishnarajapet Taluk, Mysore Dt: with his opinion thereon:—

NOTES AND ORDERS.

2. In the Sanad dated 20.12.1812, issued by H.H. the late Maharaja Krishnaraja Wadayar, the income from Seridikhane is expressly alienated in favour of the Granbee from the year Angirasa on the basis of the same Sanad & as proof of

NOTES—First sheet

GPB—15,000—24-4-09.

G. R. S. 12]
General and Revenue Secretariat.

S. R File No. 164 of 1909-10.

Serial No.

R

S + T.

Q

Enjoyment of the item of toddy, the Inam Settlement conceded that item to the Inamdar in 1879. In proof of subsequent enjoyment the Inamdar has produced two Kabuliyats covering a period of ten years from 1879-80 to 1891-2 with an interruption of 3 yrs. in the middle between 1884-87. Want of proof for these three years does not seem to vitiate the claim. Rule 19 of the 2nd August 1904 requires that there should be enjoyment of Saisi Rev: within the twelve years preceding the year 1892-3. It does not enjoin strict proof of enjoyment for each + every year of the ~~period~~ 12 years comprised in the prescribed period.

2 If the above view is correct, then this is a clear case of title to the Saisi Rev: from toddy of the village.

3 The village contains, at present, no toddy drawn but only a few date trees. During the Inam System, no "Ismi" was sold in this village. But when rule 13 is modified as under contemplation, no inconvenience will be caused to Govt.

4 Submitted for orders.

KS(70) 13/12/10

1st This is a case

2nd-S 13/12/10

NOTE—Contn. sheet.

GPB—30,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

15 S.A File No. 164 of 1909

Serial No.

that can not be satisfactorily disposed of till the rules are revised. As the Govt are considering the question whether the claim should at all be recognised in cases where no Shop Exists (there is none now in this village), this case may be ordered to lie over for the present. (This is not quite a clean case for rejection as also vide Secrie Comm's letter)

13/1/11.

1989
13-1-11

1st C) I agree

13/1/11

" "

I Keep in Sus

13/1/11 As the claim has been recognised in ~~Revenue~~ Shopless villages it is recognised in the present case also.

5 As claims have been recognised in Shopless Villages the claim in the present Case appears to be admissible

Revised

I Proposes

1st & 2nd notes)

I agree

I agree

I agree

G. R. S. 12]
General and Revenue Secretariat.

SR File No. 164 of 1909

Serial No.

Submitted for final approval

Dewan) LK 8/12

Draft order

16

24.1.17

* For Dewan's order please see SR 27-01 last note sheet. The order is as follows:-
"Orders may issue in consonance with the opinion of the Members of Council whereon they both agree."
24 Jan 1917

Draft sent accordingly for orders.

29/1/17. Revenue) 29.1.17

2nd member) 30.1.17

45 2-2-17

This has been delayed I was ill for many days. Cases are pending

Issue d note.

5.2.17

Separate note is submitted in all cases and the number pending.

2. To the Excise Commr in Mysore Comptroller No. FR 4426-7/[illegible] of the 8/2/1917

Holds that the inamdar is privileged and entitled to Excise revenue from toddy of the village.

NOTE—Contn. sheet.

GPB—50,000—12-8-16

No 6019
1-2 Pols

8 9283 4

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 24th January *19* 10.

From

H. H. Sparkes, Esquire,
Excise Commissioner in Mysore.

S.R. 164-09
8 no 1

To

C. S. Balasundram Iyer, Esq., B.A.,
Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

I have the honor to submit herewith the records of enquiry relating to the claim of the Inamdar to the Excise Revenue from toddy of Jodi Byalakere village in the Krishnarajpet taluk of the Mysore District, together with the correspondence ending with the Mysore -- Deputy Commissioner's Memo No.411, dated the 13th Instant, and to state as follows:-

2

2. From the Nirup dated 20th December 1812, from His Highness the late Maharaja Sri Krishnaraja Wadayar III to Attiguppa Amildar Linge Gowda it would appear that the village of Byalakere was being enjoyed on Sarvamanyam tenure by one Subramanya Dikshitor and that it was subsequently brought under attachment. The brahmins of the -- village prayed for the same being granted on Jodi tenure. The -- Nirup directs the village to be given on a jodi of P 7 160-6-12. The beriz account is given in the Nirup and the Excise on toddy is --- included in the assets of the total beriz which was alienated. The

D 2834

19

From

H. H. Sparks Esquire,
Excise Commissioner in Mysore.

To S.R 164-07
8 no. 1

C. S. Balasundara Iyer Esq. B.A.,
Offg. *Secretary to the Government of*
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated

Despatched 25-1-10.

Received

General No. 601C

Enclosure No. 2 6

SUBJECT.

Submitting certain records relating to the claim of the Inamdar to the Excise Revenue from toddy of Jodi Byalakere village in the Krishnarajpet Taluk.

GPB—2,000—31-7-09

The concession of the Excise on toddy to the Inamdars is unmistake-
-able according to the terms of the Nirup.

R 3. At the Inam Settlement of the village conducted in the year 1879 the Inam Assistant has remarked in column 19 of the Inam Regist of Enquiry that Sayer and Abkari are reserved to State. But he men-
-tions toddy as one of the items of revenue enjoyed. The Inam ---
Superintendent remarks in column 20 that " all rights to Sayer, - -
Abkari and Forests are reserved by the Assistant, but the Sannad and
Amil's note to para give Sayer and Toddy which are conceded ". It
is, therefore, clear that the right has been recognised at the Inam
Settlement. Besides the above remarks make it evident that the
Inamdars were in the enjoyment of the toddy Excise at and prior to
the time of the Inam Settlement which took place in 1879.

4. In proof of enjoyment of the right the Inamdar has produced ---
X, W, V, + U. certain old accounts and two Mutchalikas. The old accounts relate
to the years 1860-61 and 1862-63. These are not signed by anybody.
But such is generally the case with all old accounts and such docu-
-ments have been produced in many other cases. These documents --
R relate to a period prior to the Inam Settlement and since at the --
Inam Settlement the enjoyment was acknowledged up to 1879, the ----
validity or otherwise of these documents do not appear to alter the
nature of the case. The two mutchalikas cover a period of ten --
S. T. years from 1879-80 to 1891-92 with an interruption of three years in

the

the middle between 1884 and 1887. Such interruptions have not been held to vitiate the claim and the arguments adduced by the Deputy Commissioner and the investigating officer in the case of Thammadi--halli - vide this office letter No. 6018 dated 25-1-10- hold good in the present case also.

5. Much stress has been laid on the fact that the documents in --- proof of enjoyment were produced at a late stage. Here too I find nothing unusual. Where the concession of the right was clear by the Sannad as well as by the Inam Settlement an exhaustive enquiry was generally directed with a view to finally settle the case once for all. In the course of such further enquiry many an Inamdar has filed his Khangi accounts or other documents subsequently found by him. In the case of Dalasagere and six other villages the Govern--ment themselves have called for a report on documents subsequently produced by the Inamdars.

6. At present there is no toddy shop in the village but it is --- reported to contain a few date trees. The Sannad concedes the right and the Inam Settlement recognises it and if the Government are satisfied with the proof of enjoyment produced by the Inamdar there is a clear case. The only difficulty then is that during the Farm--ing Period no " Grove Farm " was sold in this village and the -- application of Rule 13 is not very easy. In this connection referen is invited to my letter No.4824, dated the 23rd November 1909. If

on

on the other hand Government are of opinion that in spite of the --- concession in the Sannad and the recognition at the Inam Settlement, the Inamdar has not adduced satisfactory proof of enjoyment, the claim will have to be rejected.

I have the honor to be,

Sir,

Your most obedient servant,

Ramanna

for Excise Commissioner.

business of the Insurance at so late a stage in the enquiry
& that in after finishing opening their case
no documentary evidence in support of his argument,
speak for themselves - Their genuineness, & last
alone suspicion of same may have to be rejected -

For these reasons, I decline my hon'ble friend's
any further views re: the admissibility of the
Claims of the Insurance in question

13/11/10

Deputy Commissioner
Manpur District

Dated 10.4.1908

Calendar of a claim to hobby revenue enquired into

Name of Talukh: Krishnarajpet.

Name of Hobli: Bhinkwali

Name of Inamvillage: Byaladakere.

Name of Inamdar: Suryanarayan Bhatta alias Anniyya Avadani.

Documents relied upon:
1 Copy of Sanad dated 20th December 1812.
2 Endorsement No: 23 & 28th April 1890 from the Assistant Talukh to the Inamdar.
3 Copy of title deed No: 55728 dated 1st July 1879.
4 Inamdar's statement of the 8th April 1908 before the District Excise officer Mysore.

Witnesses examined: Suryanarayan Bhatta alias Anniyya Avadhani

Finding: The Inamdar is not entitled to any sort of Excise revenue in this village. He is entitled to tree-rent whenever his trees are tapped.

Amount awarded, if any, for last 12 years: As per this office advance register, the Inamdar is not given any advance for past years.

by the District Excise officer Mysore.

Grounds of decision.

There is no toddy shops in this village but there are a few date trees.

The village, it appears, was first granted as Sarvamanyam to Subrahmanyan Dikshith, which was afterwards brought under attachment. This original Sanad is not forthcoming. Subsequently in the year Angeerasa, upon the representation of the Brahmins of Byaladakere, this village was restored as a jodi inam by His Highness the late Maharaja Sri Krishnaraja Wadayar Bahadur by means of a Sanad dated 20th December 1812. Shendi revenue is included in the heriz detailed in the Sanad.

Inam title deed was referred to, in which no mention of this item either "Shendi" or "toddy" is made.

As regards proof of enjoyment the present inamdar produced only an endorsement given to him by the Amildar of the Arkalgud Taluk dated 28th April 1890. This endorsement only says that an

on stamped chit executed by one Vasudevaiya, abkari Ameen, to pay him Rs two, a month on account of date trees leased to him in 1883, has been sent to the French-Rocks Sub division.

Besides this, the Anandar has not derived any amount up to date, under this head, from his Village. Vide his statement dated 8th April 1908. before the undersigned.

In the opinion of the undersigned, the Anandar is not entitled to any sort of Excise revenue from toddy in this village. He is at liberty to levy tree-rent whenever his trees are licensed.

H. Scott
Assistant
Deputy Excise officer
Mysore.

Deputy Commissioner
Mysore District

Holds that the Inamdars privileges

G.R.S. 28

GEN. & REV. SECRETARIAT. TYPING Sec. 5 FEB 1917

File No. 16409
Serial No. 2

Diary No. of letter replied to 2834

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
(SR)

, *the* 191 .

READ—

Letter no: 6019 of the 24/1/1910 from the Excise Commr in Mysore, submitting the record of enquiry relating to the

~~ORDER THEREON.—No.~~

excise revenue from toddy of Byalakere village, Krishnarajpet Tk, Mysore Dt.

Date of issue 8-2-17

Signed by W Srinivasaiengar

Order

No 4426-7 dt 8th February/17

over

SUBJECT.

GPB—50,000—1-12-12

20 Dec

In the minute of 1872 the income from Kendrikhane is expressly alienated. Under the Inam Settlement the right to toddy is conceded and the inamdar ~~has produced evidence of~~ was in enjoyment. Govt agreeing with the Excise Comm^r hold that the inamdar is privileged and entitled to the excise revenue from toddy of the village.

at and prior to the time of the Inam settlement in 1879.

30.1.17.

Rev Secy to Govt

29.1.17

To the Excise Comm^r in Mysore

returning the records.

for Chief Secy to Govt.

29/1/17